

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

IVAN NEATHERY, *individually and as a shareholder of Meridian Bank*, and
FEDERAL DEPOSIT INSURANCE
CORPORATION, *as receiver for Meridian Bank*,

Plaintiffs,

vs.

Case No. 09-cv-631-JPG

CLAY WINFIELD, *individually and as a member of the Board of Directors of Meridian Bank*, TIMOTHY KEISER, *individually and as a member of the Board of Directors of Meridian Bank*, and BRAD RENCH, *individually and as the President of Meridian Bank*,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff Federal Deposit Insurance Corporation's ("FDIC") Notice of Voluntary Dismissal (Doc. 43).

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff has an absolute right to dismiss an action without a court order at any time before an adverse party serves an answer or a motion for summary judgment, whichever first occurs.

Here, Defendants have yet to file an answer or motion for summary judgment. As such, the Court acknowledges that FDIC's role in this case is at an end and **DIRECTS** the Clerk of Court to terminate FDIC's status as plaintiff.

IT IS SO ORDERED
DATED: July 15, 2010

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE